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Date: September 2, 2003 Department/Agency District Attorney - Criminal Division
Contact: Todd D. Riebe, District Attorney Phone/Extension: 453
Department Head Approval: Todd D. Riebe
(signature)

<input type="checkbox"/> Regular Agenda	Clerk Use Only	
<input checked="" type="checkbox"/> Consent Agenda	Meeting Date <u>9/9/03</u>	Item # <u>3B</u> time <u>9AM</u>
<input type="checkbox"/> Blue Slip	Board Action(s) Approved? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Unanimous Vote? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<input checked="" type="checkbox"/> Closed Session	Ayes: _____ Resolution # <u>03-448</u>	Ordinance # _____
Meeting Date Requested: <u>September 9, 2003</u>	Noes: _____ Resolution # _____	Ordinance # _____
Estimated Time Required: _____	Absent: _____ Comments: _____	
	Other: _____	

Brief Summary: Requesting approval of contract for funding of District Attorney Personnel between the Jackson Rancheria, the County of Amador and the Amador County District Attorney's Office, and approval for Chairman and District Attorney to sign.

Is a 4/5 vote required for the requested action? Yes ☐ No ☒ ATTACH SUMMARY AND INCLUDE STAFF RECOMMENDATIONS

<p>Financial Impacts</p> <p>Currently Budgeted? <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If budgeted, no need to proceed)</p> <p>Budget # _____ Line item # _____</p> <p>Budget transfer attached: <input type="checkbox"/> Yes <input type="checkbox"/> No (If not budgeted, transfer form must be attached)</p> <p>Estimated Cost or Reduced Revenue _____</p> <p>Amount Budgeted: _____</p> <p>Budget balance: _____</p> <p>Additional Revenue: Federal _____ State _____</p> <p>Other: _____</p> <p>Net County Cost: _____</p>	<p>Counsel Review (initials): <u>CH</u> Date: <u>8/2/03</u></p> <p>Comments: _____</p> <p>_____</p> <p>_____</p>
<p>Auditor review (initials): <u>ED</u> Date: <u>9-3-03</u></p> <p>If budgeted is a 4/5ths vote required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comments: <u>Increase Return</u></p>	<p>GSA Review (initials): <u>JM</u> Date: <u>9-3-03</u></p> <p>Comments: _____</p> <p>_____</p> <p>_____</p>
<p>Committee Review? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date: _____</p> <p>Committee Name: _____</p> <p>Recommendation: _____</p>	<p>Administrative Review (initials): <u>PO</u> Date: <u>9/3/03</u></p> <p>Comments: _____</p> <p>_____</p> <p>_____</p>
<p>Chairman Review (initials): <u>LB</u> Date: <u>9-3-03</u></p> <p>Comments: _____</p>	<p>Risk Management Review (initials): <u>MC</u> Date: <u>9/6/03</u></p> <p>Comments: _____</p> <p>_____</p> <p>_____</p>
<p>Clerk of the Board Review (initials): _____ Date: _____</p> <p>Comments: _____</p>	<p>Clerk of the Board Review (initials): _____ Date: _____</p> <p>Comments: _____</p>

Does this matter impact any city and/or special district? ☐ Yes ☒ No Supervisorial District(s): ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ N/A

Distribution Instructions (INTER-DEPARTMENTAL ONLY): DA, Auditor, County Counsel, GSA, Risk Management

THE REQUESTING DEPARTMENT IS RESPONSIBLE FOR MAILINGS OUTSIDE COUNTY DEPARTMENTS

Distributed: _____		Clerk Use Only	
Date <u>9/11/03</u>	Completed by <u>mo</u>	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors. Attest: Clerk of the Board of Supervisors <u>Marshall Anderson</u> Deputy Board Clerk	
This item was continued.			
*anew ATF required from _____ (department)			
for the meeting of _____			

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION APPROVING THE CONTRACT)	RESOLUTION NO. 03-448
FOR FUNDING OF DISTRICT ATTORNEY)	
PERSONNEL BETWEEN THE JACKSON)	
RANCHERIA, THE COUNTY OF AMADOR)	
AND THE AMADOR COUNTY DISTRICT)	
ATTORNEY'S OFFICE)	

BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that said Board does hereby approve the agreement by and between the County of Amador and the Jackson Rancheria, a federally-recognized Indian Tribe, on the terms and conditions contained therein as it relates to funding to provide wages, benefits and other costs of one additional Deputy District Attorney to act under the direction of the District Attorney to perform any duties within his jurisdiction and to provide appropriate Tribal Gaming trial training; and

BE IT FURTHER RESOLVED that the Chairman of said Board and the District Attorney are hereby authorized to sign and execute said agreement on behalf of the County of Amador and any additional addendums thereto.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 9th day of September 2003, by the following vote:

AYES: Louis D. Boitano, Mario Biagi, Rich F. Escamilla, Richard M. Forster, and Richard P. Vinson


NOES: None

ABSENT: None


Chairman, Board of Supervisors

ATTEST:

MARDELL ANDERSON, Clerk of the
Board of Supervisors, Amador County,
California


Deputy

CONTRACT FOR FUNDING OF DISTRICT ATTORNEY PERSONNEL

This contract is formed and entered into in Jackson, California this 9th day of September 2003, by and among the County of Amador, a political subdivision of the State of California ("County" hereinafter), the Jackson Rancheria, a federally-recognized Indian Tribe, ("Tribe" hereinafter), and Todd D. Riebe, Amador County District Attorney ("District Attorney Riebe" hereinafter), on the following terms and conditions:

WHEREAS, Jackson Rancheria solely owns and operates an Indian gaming facility (the "facility" hereinafter) on Rancheria land adjacent to New York Ranch Road in the unincorporated area of Amador County, which is currently under an expansion; and

WHEREAS, Public Law 280, a federal statute, makes California Penal Code provisions applicable to Rancheria land; and

WHEREAS, the Facility attracts large numbers of the public, which in turn may create a need for law enforcement to investigate and prosecute crimes committed at the Facility; and

WHEREAS, District Attorney Riebe has been prosecuting criminal cases committed at the Facility, but the District Attorney Office's resources are strained and need augmentation; and

WHEREAS, Jackson Rancheria desires to provide additional funds to County for District Attorney Riebe to employ one additional Deputy District Attorney II to act under District Attorney Riebe's control including but not limited to the prosecution of criminal cases originating at the Facility, necessary related services, and additional funds to mitigate increased caseload which may result from the expansion of the Facility.

IT IS AGREED by and between the parties hereto as follows:

1. Upon execution of this Contract, Jackson Rancheria agrees to and shall provide to County one hundred thousand sixty two dollars (\$162,000) to fund one additional Deputy District Attorney II position to act under the direction of District Attorney Riebe, necessary related services, and additional funds to mitigate increased caseload which may result from the expansion of the Facility.

2. Said \$162,000 from Jackson Rancheria shall be used to continue to pay the wages, benefits, and other costs of said Deputy District Attorney II, appropriate Tribal Gaming and legal training, necessary related services, and additional costs associated with prosecuting cases arising from the expanded Facility. Any excess funds may be used by District Attorney Riebe for any lawful purpose. District Attorney Riebe agrees to provide to the Jackson Rancheria at the end of fiscal year 2003-2004 a written report detailing how the funds provided pursuant to this paragraph were expended.

3. The Deputy District Attorney II, as all Deputy District Attorneys and other District Attorney Office personnel, shall be directed in the performance of duties by District Attorney

Riebe. He may assign said Deputies to perform any duties within his jurisdiction.

4. The \$162,000 provided by Jackson Rancheria to County is intended to offset the cost of one Deputy District Attorney II for fiscal year 2003-2004, related services, and additional costs associated with prosecuting cases arising from the expanded Facility. The parties agree to meet and confer in May of 2004 to consider a renewal of this Contract for fiscal year 2004-2005 to provide an additional \$162,000 or a sum to be agreed upon by the parties for the continued employment of said Deputy District Attorney II hired pursuant to this Contract.

5. Notices of events arising pursuant to the Contract shall be sent to the parties at the following addresses:


Margaret Dalton, Chairperson
Jackson Rancheria
P.O. Box 1090
Jackson, CA 95642

Patrick Blacklock
County Administrative Officer
500 Argonaut Lane
Jackson, CA 95642

Todd D. Riebe
District Attorney
708 Court Street
Jackson, CA 95642

IN WITNESS THEREOF, the parties hereby execute and enter into this Contract as of the day and year first written above.

COUNTY OF AMADOR

By: 

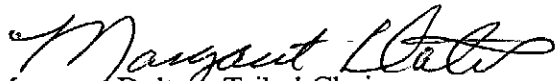
Louis Boitano, Chairman
Amador County Board of Supervisors

ATTEST:



MARDELL ANDERSON, Clerk of the
Board of Supervisors, Amador County

**JACKSON RANCHERIA BAND OF MIWUK
INDIANS OF THE JACKSON RANCHERIA**

By: 
Margaret Dalton, Tribal Chairperson

AMADOR COUNTY DISTRICT ATTORNEY

By: 
Todd D. Riebe, District Attorney